

ENTERED

February 16, 2022

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

ELIDETT TORRES MOLINA,

Plaintiff,

VS.

SAM'S EAST, INC.,

Defendant.

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CIVIL ACTION NO. 1:21-CV-062

ORDER

Plaintiff Elidett Torres Molina filed this lawsuit in a Texas state court after she visited a Sam's East, Inc. location in Brownsville, Texas, and allegedly tripped, fell, and sustained injuries. Defendant Sam's East, Inc. removed the case to federal court on the basis of diversity jurisdiction. (Notice of Removal, Doc. 1) During discovery, counsel for Molina moved to withdraw as her attorney, citing communication difficulties. A United States Magistrate Judge held a hearing to receive evidence on the motion, and Molina failed to attend. In an Order granting the Motion to Withdraw, the Magistrate Judge ordered Molina to either hire another attorney or inform the court that she intended to proceed *pro se*, and to do so by January 21, 2022. (Order, Doc. 19) Molina failed to comply with that Order.


The Magistrate Judge recommends that Molina's causes of action be dismissed without prejudice for want of prosecution. (R&R, Doc. 23) No party filed objections to the Report and Recommendation, and the Court finds no clear error within it.

As a result, the Court **ADOPTS** the Report and Recommendation (Doc. 23). It is:

ORDERED that Plaintiff Elidett Torres Molina's causes of action within her Second Amended Original Complaint (Doc. 13) against Defendant Sam's East, Inc. are **DISMISSED WITHOUT PREJUDICE** for want of prosecution.

The Clerk of Court is directed to close this matter.

Signed on February 16, 2022.


Fernando Rodriguez, Jr.
United States District Judge